



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 6, 2022

BY ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

**Re: *United States v. Joshua Adam Schulte*,
S3 17 Cr. 548 (JMF)**

Dear Judge Furman:

Pursuant to the Court's directive at the June 3, 2022 conference in this matter, the Government respectfully submits redacted copies of (i) the Government's January 31, 2020 letter brief provided to Judge Crotty regarding the application of the factors identified in *Waller v. Georgia*, 467 U.S. 39, 46 (1984), to the introduction of classified exhibits, which was referenced in Judge Crotty's February 3, 2020 order approving the use of two classified exhibits at the previous trial in this matter (D.E. 297); and (ii) the Government's May 19, 2022 application pursuant to Sections 6 and 8 of the Classified Information Procedures Act ("CIPA") to introduce certain exhibits in classified form at the upcoming retrial. Unredacted copies of the classified submissions are also being provided to the Court and the defendant by hand.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: /s/
David W. Denton, Jr./Michael D. Lockard
Assistant United States Attorneys
(212) 637-2744/-2193

cc: Standby Counsel (by ECF)
Joshua Adam Schulte (by mail)